

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JESSIE LEE BIZZELL,

Plaintiff,

v.

Case No.: 2:20-cv-536-FtM-38NPM

KUNTZMAN CANSON
CONSULTANTS and 21ST
CENTURY ONCOLOGY
HOLDINGS, INC.,

Defendants.

OPINION AND ORDER¹

Before the Court is Plaintiff's *pro se* handwritten complaint filed July 27, 2020. ([Doc. 1](#)). To the extent discernable, Plaintiff, a state prisoner, claims an entitlement to \$1,000,000.00 as a creditor in a New York bankruptcy proceeding. The Court does not appear to have subject matter jurisdiction for this action. But, it would be futile for the Court to order Plaintiff to show cause why the Court should not dismiss this action for lack of subject matter jurisdiction because Plaintiff has an earlier-filed duplicative action pending in the Jacksonville Division of this Court at case no. 3:20-cv-792-J-32PDB.² Plaintiff may not have duplicative cases pending before the Court. Because Plaintiff's case in the Jacksonville Division was filed first, the Court will dismiss this action as duplicative.

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

² Plaintiff responded to the Court's Order to Show Cause concerning subject matter jurisdiction and the case remains pending at time of this Order.

Accordingly, it is now

ORDERED:

1. Plaintiff's Complaint ([Doc. 1](#)) is **DISMISSED** as duplicative.
2. The Clerk is **DIRECTED** to terminate any deadlines, deny as moot any pending motions, enter judgment, and close this case.

DONE and **ORDERED** in Fort Myers, Florida this 11th day of August 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-1

Copies: All Parties of Record